

E. Clarke Balcom, # 01195
cbalcom@clarkebalcomlaw.com
Shannon D. Sims, # 072029
sims@clarkebalcomlaw.com
CLARKE BALCOM, P.C.
1312 SW 16th Ave, 2nd Floor
Portland, OR 97201
Telephone (503) 224-5950
Fax (503) 467-4669
Attorney for Plaintiff

FILED
JUN 26 2009

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

**BARBARA GIFFORD and KEVIN
GIFFORD,**

Case No.: CV 09-639-PK

Plaintiffs,

v.

PRELIMINARY INJUNCTION

~~(PROPOSED)~~ *GMK*

**BANK OF AMERICA, COUNTRYWIDE
HOME LOANS, INC**, a New York
corporation, dba **COUNTRYWIDE
BANK**; and **HYPERION CAPITAL
GROUP, LLC**.

Defendants.

This matter came before the court on June 26th, 2009, for hearing on plaintiffs' motion for a preliminary injunction. The court having considered the oral and written arguments of the parties and the affidavits filed herein, finds sufficient grounds for concluding that irreparable injury to the plaintiffs will occur while this case is pending without the entry of this preliminary injunction.

Therefore, it is ordered as follows:

1. Defendants, or any agents thereof, are preliminary enjoined from seeking to foreclose on the plaintiffs' home located at 2031 SE 90th Pl., Portland, Oregon 97216.
2. This preliminary injunction will remain in effect until final resolution of this case on the merits, subject to further order of this court.
3. This preliminary injunction shall become effective immediately upon entry by the court.
4. The plaintiffs are not required to post a bond or other security, as such a requirement could deny the plaintiffs judicial review. Alternatively, the plaintiff's shall post a bond or other security in the amount of _____.
5. The temporary restraining order previously entered in this case expires upon entry of this order.

DATED this 26 day of June, 2009.



U.S. District Court Judge